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MAY 08 2025

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Steve Salvador Ybarra
Self-Represented
Pro Se Litigant,

Plaintiff,

v.

Legal Assistance of Dakota County;
Sharon Jones Esq., in her Individual and
Official capacities;
Hon. David Lutz, in his individual and
Official capacities;
Hon. Tanya Obrien, in her individual and
official capacities;
Hon. Dannia L Edwards, in her individual
and official capacities;
Lydia Clemens, in her individual and
official capacities;
Michelle Cathleen Ybarra,

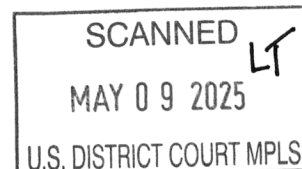
Defendants.

No. . 0:25-cv-01948-KMM-DJF

**NOTICE OF JUDICIAL PATTERN AND
PROCEDURAL SUPPRESSION IN
SUPPORT OF EMERGENCY TRO**

Plaintiff Steve Salvador Ybarra respectfully submits this Notice to inform the Court of continued procedural irregularities and entrenched judicial suppression within the underlying state matter (19AV-FA-24-839), which substantiate Plaintiff's request for emergency injunctive relief.

I. Chronology of Procedural Suppression by Judge Lutz



1 Since **February 2025**, Plaintiff has properly filed and served **over 20 verified motions**,
 2 including:

- 3 • Rule 60.02(d) motions to vacate,
- 4 • Disqualification under Canon 2.11,
- 5 • Motions to compel discovery of Legal Aid intake fraud,
- 6 • Motions to restore parenting time.

7 To date, **Judge Lutz has refused to rule on any of these filings**. In contrast:

- 8 • On **April 21, 2025**, Judge Lutz ruled **immediately** on a **motion to quash** and issued a
 9 **protective order** shielding LADC records **on the same day**, while **declining to rule on**
 10 **Plaintiff's pending constitutional motions**.
- 11 • **April 22, 2025**, Judge David Lutz issued a judicial order that further exemplifies the
 12 entrenched procedural suppression and structural bias operating in Dakota County Family
 13 Court. Despite acknowledging that the April 21 hearing was dominated by Plaintiff's
 14 motions and lasted nearly three hours, the Court admitted it did not address all of
 15 Plaintiff's timely motions, and yet blamed Plaintiff for submitting too many. Rather than
 16 rule on the pending motions or provide clarity, Judge Lutz issued an order forcing Plaintiff
 17 into a heavily constrained May 12 hearing window, limiting argument time to whatever
 18 remains after multiple unrelated family law cases are heard first. This deliberate
 19 scheduling maneuver—combined with the Court's refusal to adjudicate any of Plaintiff's
 20 properly filed constitutional motions while promptly granting protective orders and
 21 motions to quash—further demonstrates an intentional pattern of judicial gatekeeping. The
 22 April 22 order explicitly denies Plaintiff equal procedural footing by preemptively
 23 capping his hearing time while preserving discretion for when the hearing “will be
 24 over”—not based on substance, but when the Court decides it's had enough. This order, on
 25 its face, confirms Plaintiff's allegation that the state forum is neither neutral nor capable of
 26 redressing constitutional injury, and supports federal intervention under *Mathews v.*
 27 *Eldridge*, *Pulliam v. Allen*, and *Caperton v. A.T. Massey Coal*.
- 28 • The Court **terminated the April 21 hearing mid-response**, preventing Plaintiff from
 completing arguments based on *Hazel-Atlas*, *Troxel*, and *Mathews v. Eldridge*.
- On **April 24, 2025**, Judge Lutz **reappointed the same discredited GAL** who relied on
 rescinded CPS findings—without addressing prior objections or recusal demands.
- On **April 28, 2025**, he issued a second **protective order**, sealing intake evidence central
 to fraud claims—again, with no ruling on Plaintiff's motion to compel discovery.
- On **May 5, 2025**, Judge Lutz issued a scheduling order indicating that Plaintiff would be
 limited in argument time at the upcoming **May 19 hearing**, citing “volume of filings,”
 while ignoring the fact that **none of Plaintiff's federal claims have been adjudicated**.
- In response to this growing record of procedural obstruction and forum bias, on **May 7,**
2025, Plaintiff formally submitted a comprehensive evidentiary report to the U.S.
Department of Justice – Civil Rights Division, with copies to the **Office of the**
Inspector General and the **Public Integrity Section**. This report includes Plaintiff's
 verified Complaint, TRO filings, and supplemental documentation reflecting sealed
 evidence orders, ghostwritten affidavits, and reappointments of a disqualified Guardian ad

1 Litem. The purpose of this submission is to formally place the actions of the Dakota
2 County bench and its affiliated legal aid and GAL actors under federal civil rights
3 scrutiny. This escalation underscores that Plaintiff has exhausted available remedies and is
now actively seeking oversight beyond this Court and the state judiciary. A true and
correct copy of the DOJ notice and certificate of service

4 **II. Legal Significance for Federal Review**

5 This pattern of selective ruling, strategic delay, and refusal to adjudicate meritorious
6 constitutional motions reflects not mere judicial discretion—but a **coordinated procedural**
7 **entrenchment** in violation of:

- 8 • **14th Amendment due process guarantees,**
- 9 • **42 U.S.C. § 1983 (access to court),**
- 10 • **42 U.S.C. § 1985(2) (obstruction of rights through state court proceedings),**
- 11 • **and 18 U.S.C. § 1503 (obstruction of justice).**

12 The record now reflects that **Plaintiff is being denied meaningful redress at the state level,**
13 while custody orders continue to be enforced that are **void ab initio** under UCCJEA §
14 518D.201(a)(1).

15 **III. Request for Judicial Notice**

16 Plaintiff respectfully requests this Court take notice of the continued procedural suppression by
17 Defendant Judge Lutz as described above, and consider this Notice in evaluating the pending
18 Emergency Temporary Restraining Order and request for federal equitable relief.

19
20 Respectfully submitted,

21
22 **/s/ Steve Salvador Ybarra**

23 Steve Salvador Ybarra

24 Pro Se Litigant

25 California | Minnesota

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27 Phone: (612) 544-4380

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CERTIFICATE OF SERVICE

I hereby certify that on **May 7, 2025**, I served a true and correct copy of the attached:

“Notice of Submission to the U.S. Department of Justice – Civil Rights Division”

upon the following parties by email and/or U.S. Mail:

- **Legal Assistance of Dakota County**

Email: admin@dakotalegal.org

- **Sharon Jones, Esq.**, in her individual and official capacities

Legal Assistance of Dakota County

Email: sjones@dakotalegal.org

- **Hon. David Lutz**, in his individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email: Raymond.mestad@courts.state.mn.us

- **Hon. Tanya O’Brien**, in her individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email:

- **Hon. Dannia L. Edwards**, in her individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email:

- **Lydia Clemens**, Guardian ad Litem, in her individual and official capacities

First Judicial District GAL Program

Email: Lydia.clemens@courts.state.mn.us

- **Michelle Cathleen Ybarra**, Respondent

Email: shellbell@hotmail.com

This notice was served to all named parties via email where available and U.S. Mail where necessary, consistent with Fed. R. Civ. P. 5(b) and Local Rule 7.1.

1 Respectfully submitted,
2 /s/ **Steve Salvador Ybarra**
3 Pro Se Litigant
4 Steve@TheoryWerkx.com
5 (612) 544-4380
6 Executed May 7, 2025

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